

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANGEL CECILIA POMANI,

Defendant.

CR-23-56-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on August 22, 2024. (Doc. 48.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on June 18, 2024. (Doc. 44.) The United States accused Angel Cecilia Pomani (Pomani) of violating the

conditions of her supervised release by: (1) communicating or interacting with someone she knew was a convicted felon without the permission of her probation officer on August 6, 2024; (2) failing to comply with substance abuse treatment requirements by being terminated from her substance abuse treatment placement on August 6, 2024; (3) failing to abstain from the consumption of alcohol on August 6, 2024; (4) failing to report to her probation officer as instructed on August 7, 2024; (5) failing to abstain from the consumption of alcohol on August 8, 2024; and (6) failing to report to her probation offices as instructed on August 12, 2024. (Docs. 40 and 43.)

At the revocation hearing, Pomani admitted that she had violated the conditions of her supervised release by: (1) communicating or interacting with someone she knew was a convicted felon without the permission of her probation officer on August 6, 2024; (2) failing to comply with substance abuse treatment requirements by being terminated from her substance abuse treatment placement on August 6, 2024; (3) failing to abstain from the consumption of alcohol on August 6, 2024; (4) failing to report to her probation officer as instructed on August 7, 2024; (5) failing to abstain from the consumption of alcohol on August 8, 2024; and (6) failing to report to her probation offices as instructed on August 12, 2024. (Doc. 44.)

Judge Johnston found that the violations Pomani admitted proves to be serious and warrants revocation, and recommended that Pomani receive a custodial sentence of 3 months with 33 months of supervised release to follow with the first 180 days of her supervised release spent in a residential re-entry center. (Doc. 48.) Pomani was advised of her right to appeal and her right to allocute before the undersigned and waived those rights. (Doc. 44.) The violations prove serious and warrants revocation of Pomani's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 48) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Angel Cecilia Pomani be sentenced to the custody of the United States Bureau of Prisons for a period of 3 months with 33 months of supervised release to follow with the first 180 days of supervised release spent in a residential re-entry center.

DATED this 26th day of August, 2024

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court